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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

RAJYA SABHA

The following Bills were introduced in the Rajya Sabha on the 18th August, 2011:—

Bill No. XXXIV of 2011

A Bill further to amend the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Amendment Act, 2011. Short title and commencement.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.
2. In the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (hereinafter referred to as the principal Act), in the long title, for the word "workmen", the word "workers" shall be substituted. Amendment of long title.
3. In section 1 of the principal Act, in sub-section (1), for the word "Workmen", the word "Workers" shall be substituted. Amendment of section 1.

Substitution of
references to
certain
expressions by
certain other
expressions.

4. Throughout the principal Act, unless otherwise expressly provided, for the words "workman" and "workmen", wherever they occur, the words "worker" and "workers" shall respectively be substituted, and such other consequential amendments as the rules of grammar may require shall also be made.

STATEMENT OF OBJECTS AND REASONS

The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 has been enacted to regulate the employment of inter-State migrant workmen and to provide for their conditions of service and for matters connected therewith.

2. The Task Force constituted for amendment of Labour Laws concerning women and children had, *inter alia*, recommended that the title of the "Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979" may be changed as "Inter-State Migrant Workers (Regulation of Employment and Conditions of Service) Act, 1979" in order to make it gender neutral.

3. The recommendations of the Task Force were accepted and accordingly the title of the Act is proposed to be changed as "Inter-State Migrant Workers (Regulation of Employment and Conditions of Service) Act, 1979" to make it gender neutral and also to substitute the words "worker" and "workers" in place of the words "workman" and "workmen", wherever they occur throughout in the Act.

4. The Bill seeks to achieve the above objectives.

MALLIKARJUN KHARGE

II

Bill No. XXXV of 2011

A Bill further to amend the Border Security Force Act, 1968.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:—

Short title and
commence-
ment.

1. (1) This Act may be called the Border Security Force (Amendment) Act, 2011.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment
of long title.

2. In the Border Security Force Act, 1968 (hereinafter referred to as the principal Act), in the long title, after the words “borders of India”, the words “or of any part of the territory thereof” shall be inserted.

47 of 1968.

Amendment
of section 2.

3. In section 2 of the principal Act, in sub-section (1), in clause (a), in sub-clause (ii), after the words “borders of India”, the words “or in any part of the territory thereof” shall be inserted.

4. In section 4 of the principal Act, in sub-section (1), after the words "Borders of India", the words "or of such part of the territory thereof, as the Central Government may, by notification, specify" shall be inserted. Amendment of section 4.

5. In section 139 of the principal Act, in sub-section (1),—

(a) in the opening portion, the words "adjoining the borders of India," shall be omitted; Amendment of section 139.

(b) in clause (i), for the words and figures "the Central Excises and Salt Act, 1944, the Foreigners Act, 1946, the Foreign Exchange Regulation Act, 1947", the words and figures "the Central Excise Act, 1944, the Foreigners Act, 1946, the Foreign Exchange Management Act, 1999" shall be substituted.

1 of 1944.
31 of 1946.
7 of 1947.
1 of 1944.
31 of 1946.
42 of 1999.

STATEMENT OF OBJECTS AND REASONS

The Border Security Force Act, 1968 has been enacted to provide for the constitution and regulation of an Armed Force of the Union for ensuring the security of the borders of India and for matters connected therewith.

2. The long title and section 4 of the aforesaid Act provide that the Border Security Force shall be for ensuring the security of the borders of India. Section 139 of the aforesaid Act contains provisions relating to powers and duties that may be conferred or imposed on the members of the Border Security Force within the local limits of areas adjoining the borders of India.

3. However, the Border Security Force is also deployed in areas other than the borders of India due to various exigencies. Certain exigencies during which the Border Security Force is so deployed are,—

- (a) to counter insurgency operations and anti-naxal operations;
- (b) for internal security duties, (including duties during elections, communal riots, maintenance of law and order);
- (c) to assist during natural calamities.

4. In view of the necessity of deploying the Border Security Force in areas other than the borders of India or its adjoining areas for the exigencies specified in the preceding paragraph, it has become necessary to amend the long title, sections 4 and 139 of the Border Security Force Act, 1968 to enable the Central Government to deploy the said Force in areas other than the borders of India or its adjoining areas.

5. The Bill seeks to achieve the above objectives.

P. CHIDAMBARAM

FINANCIAL MEMORANDUM

Clause 4 of the Bill proposes to amend section 4 of the Border Security Force Act, 1968 and clause 5 thereof proposes to amend section 139 of the said Act. The proposed amendments only involve extending the areas of operation of the Border Security Force from the existing border areas to the areas other than borders of India or its adjoining areas and to confer on the members of the said Force powers and duties in those areas under various central laws specified in the Act. As the said Force has already been constituted and functioning, no financial implications are involved in the proposed Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 4 of the Bill proposes to amend sub-section (1) of section 4 so as to widen its scope by providing that the Border Security Force shall ensure security not only in the border areas but also in other parts of the territory of India. For that purpose, it is proposed to empower the Central Government to notify the territories in which the Border Security Force shall ensure security.

2. The matter in respect of which the said notification may be issued is a matter of procedure and administrative detail, and as such, it is not practicable to provide for it in the proposed Bill itself.

3. The delegation of legislative power is, therefore, of a normal character.

III**Bill No. XXXII of 2011**

A Bill further to amend the Administrators-General Act, 1963.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:—

Short title and
commencement.

1. (1) This Act may be called the Administrators-General (Amendment) Act, 2011.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment
of sections 9,
10, 29 and 36
of Act 45 of
1963.

2. In sections 9, 10, 29 and 36 of the Administrators-General Act, 1963, for the words "two lakhs", wherever they occur, the words "ten lakhs" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Administrators-General Act, 1963 is an Act to consolidate and amend the law relating to the office and duties of Administrator-General. Section 29 of the said Act empowers the Administrator-General to grant certificate to any person, interested in the assets of a deceased person, claiming otherwise than as a creditor and such certificate can be granted only in cases where the assets left by the deceased person (except the assets of certain specified nature) do not exceed in value in the whole the monetary limit specified in that section. Originally, the monetary limit specified in the said section 29 was only ₹ 5,000. On account of considerable decrease in money value and to protect the interests of the poor persons and legal heirs especially widows, minor children and other dependents of the deceased persons from protracted and expensive litigation in civil courts, the monetary limit in the said section was enhanced to ₹ 15,000 in 1972, to ₹ 50,000 in 1983 and to ₹ 2,00,000 in 1999.

2. Certain representations have been received by the Central Government requesting for enhancement of the monetary limit specified in section 29 of the Administrators-General Act, 1963 from ₹ 2,00,000 due to the escalation in the value of assets and on account of considerable decrease in money value. The Maharashtra State Legislature has amended the aforesaid Act in its application to that State by enhancing the monetary limit from ₹ 2,00,000 to ₹ 10,00,000. Similarly, the Uttar Pradesh State Legislature has also taken steps to amend the Act in its application to that State for enhancing the monetary limit from ₹ 2,00,000 to ₹ 10,00,000.

3. In view of the position stated above and having regard to the decrease in money value and escalation of prices of properties, it is considered necessary to increase the monetary limit of jurisdiction of the Administrator-General from ₹ 2,00,000 as at present, to ₹ 10,00,000 by suitably amending the references to the monetary limit specified in sections 9, 10, 29 and 36 of the said Act.

4. The Bill seeks to achieve the above objects.

SALMAN KHURSHID.

V.K. AGNIHOTRI,
Secretary-General.